

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

OP.No. 5851 of 2002(V)

PETITIONER:

- 1. RANJITH KUMAR VANIYANKANDY KAKKIRIKKAN,
HEADMASTER, THOTTADA WEST U.P.SCHOOL, THOTTADA P.O.
KANNUR-7.**
- 2. M.K.VISWANATHAN, HEADMASTER,
MUNDAYODE L.P.SCHOOL, P.O.MAVILAYI, KANNUR DIST.**
- 3. B.SAHADEVAN, HEADMASTER,
MAVILAYI L.P.SCHOOL, P.O.MAVILAYI, KANNUR DISTRICT.**
- 4. C.SUGANDHI, HEADMISTRESS,
ORIKARA L.P.SCHOOL, P.O.KADACHIRA, KANNUR DISTRICT.**

**BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.C.P.SIVADASAN NAIR**

RESPONDENTS:

- 1. STATE OF KERALA REP. BY ITS SECRETARY
TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.**
- 3. THE ASSISTANT EDUCATIONAL OFFICER,
KANNUR SOUTH, KANNUR.**

BY GOVERNMENT PLEADER SMT.K.R

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 15/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

ORDER ON CMP. NO.10351/2002 IN OP. NO. 5851/2002

DISMISSED

15.12.2006

SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE APPOINTMENT ORDER DT.13.5.93 ISSUED BY THE MANAGER OF THE SCHOOL TO THE 1ST PETITIONER.

EXT.P2:- COPY OF THE CERTIFICATE NO.1803/97 DT. 16.4.97 ISSUED BY THE KERALA PUBLIC SERVICE COMMISSION TO THE 2ND PETITIONER.

EXT.P3:- COPY OF THE APPOINTMENT ORDER DT.2.6.97 ISSUED BY THE MANAGER OF THE SCHOOL TO THE 2ND PETITIONER.

EXT.P4:- COPY OF THE CERTIFICATE NO.14992/98 DT.9.12.98 ISSUED BY THE KERALA PUBLIC SERVICE COMMISSION TO THE 3RD PETITIONER.

EXT.P5:- COPY OF THE APPOINTMENT ORDER DT.10.2.98 ISSUED BY THE MANAGER OF THE SCHOOL TO THE 3RD PETITIONER.

EXT.P6:- COPY OF THE CERTIFICATE NO.8781/99 DT.6.7.99 ISSUED BY THE KERALA PUBLIC SERVICE COMMISSION TO THE 4TH PETITIONER.

EXT.P7:- COPY OF THE REPRESENTATION DT.19.11.99 SUBMITTED BY THE PETITIONERS BEFORE THE 3RD RESPONDENT.

EXT.P8:- COPY OF THE ORDER NO.G.O.(P) 127/99/G. EDN. DT.4.6.99 ISSUED BY THE 1ST RESPONDENT.

EXT.P9:- COPY OF THE ORDER NO.G.O.(P) 136/88/G. EDN DT.8.9.88.

.EXT.P10:- COPY OF THE ORDER IN CMP. NO.34397/99 IN OP. NO.20891/99 OF THIS HONOURABLE COURT DT.13.8.99.

E.XT.P11:- COPY OF THE ORDER NO.A-459/99 DT.19.3.01 PASSED BY THE ASST. EDL.OFFICER, PAYYANNUR.

EXT.P12:- COPY OF THE STATEMENT OF FIXATION ISSUED THE ASST.EDL. OFFICER, PAYYANNUR.

EXT.P13:- COPY OF THE ORDER IN CMP. NO.54981/01 IN OP. NO.33681/01 DT.7.11.01 OF THIS HONOURABLE COURT.

EXT.P14:- COPY OF THE ORDER NO.F.5269/01 DT.14.12.01 ISSUED BY THE ASST.EDL. OFFICER, ALATHUR.

EXT.P15:- COPY OF THE REPRESENTATION DT.21.12.01 SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT.

KURIAN JOSEPH, J.

O.P.No.5851 OF 2002

Dated this the 15th day of December, 2006

J U D G M E N T

The claim is for scale of pay attached to the post of Headmaster. Since the petitioners are appointed after 8.9.1988, the issue is covered against the petitioners by the decision of this court reported in **Annet D' Cunha v. State of Kerala** [2004(1) KLT 161]. Accordingly, this writ petition is dismissed.

(KURIAN JOSEPH, JUDGE)

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O.P.No.

:2:

KURIAN JOSEPH, J.

O.P.No.5851/2002

JUDGMENT

15th December, 2006